G. R. S. IX-5]

Previous references.

1920

(97)

File No. 57-20

Serial Nos. 162

Later references.

GENERAL AND REVENUE SECRETARIAT.

Preserved

Serial Nos. 2

Part B for September 1920

SUBJECT

Endorsement of State Loan Bonds in favour of a person other than the holder without proof of title

Re: 2. To The Comptroller No. 7C 19679 11.9.1920 States that the Govt. advocate's opinion in the matter may be accepted

WD 788—GPB—5,000—7-11-19

G. R. S. III—1] 1920-21

GENERAL AND REVENUE SECRETARIAT.

G. F.

NOTES.

File No. 567-20

FILE HEADING.

Endorsement of State Loan Bonds in favour of a person other than the holder without proof of title.

From

The Comptroller to Govt.

No. 320/P.D. Dated 24th August 1920 Received 26.8.1920

Diary No. 1075 | Enclos. 2 Spare Copies. | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards copies of correspondence between the Govt Advocate & the Comptroller's Office in the matter of endorsement by the D.C. Mysore of State Loan Bonds of 1906-07 wh were in the holding of Bajjanna in favour of his son without proof of title & requests orders whether the Govt Advocate's opinion may be accepted & conversion loan bonds issued to the son who has applied for the same.

NOTES AND ORDERS.

A/Secretary's orders on the P.W.D.

"Immediate. Please submit this at once" Intd M.A.R.

Subd 28/8/1920

2 Nos of Comns by his endorsement to Sri Narasimhaiya instead of to the original depositor Sri Bajjanna has taken upon himself the responsibility of transferring the ownership of the bond to Sri Narasimhaiya without any

NOTES—First Sheet.

075 3831.

G. R. S. III-2.

General and Revenue Secretariat.

G.7. File No. 57 of 1920

Serial No.

authority and as he is acting on behalf of Govt. the Govt will be liable to meet any claims that may be raised by the legal representatives of Mr Bojjanna other than Mr Narasimhaiya. In these circumstances Mr Narasimhaiya should, it seems, be asked to produce a Succession Certificate or to furnish an indemnity bond for twice the amount of the bonds binding himself to compensate Govt for any loss which they have to meet on account of subsequent claims that may be established in a court of law.

28/8/20

8/5 28/8

(Sd. Grey)

3. To the Judicial Branch for favour of opinion

28/8/20

4 Sub 28/8

If Mrs Narasimhaiah & the deceased Mr Bojjanna formed members of a joint family, the former will be entitled to claim the bonds by right of survivorship

NOTE—Contn. sheet.

Serial No.

and the production of an heirship certificate is not necessary. If Mrs Narasimhiah is the only son of the deceased no further action is necessary. If otherwise, Mrs Narasimhiah may perhaps be asked to furnish an indemnity bond in the matter? Subm for orders

III Member

D. M. 6/9

1671 8.9.20

The Govt Advocate's opinion is thus the court. No indemnity bond ~~is needed~~ ~~[illegible]~~ is necessary

MHD 7/9

D. M. 8/9

Subm to Mr Grey for infn. The Comptr has to be asked to accept the Govt Advocate's opinion

MHD 9/9/20

8 Inform him accordingly

DMC 10.9.20

9 Dmft

MHD 10/9

10 Draft letter

HOG 10/9/20

11 Done

MHD 10/9/20

NOTE—Contn. sheet.

W75

4

G. R. S. III-2

General and Revenue Secretariat.

G.7. File No. 57 of 1920-21

Serial No.	
2	To the Comptroller No: H 1967 Dated 11th September 20 States that the Govt Advocate's opinion in the matter may be accepted.

B

NOTE—Contn. sheet.

DIARY No. 1075

1920 – 1921
Section. 97
File No. 5/20
Serial No. 1

Please address all future communications to the Comptroller to the Govt. of H. H. the Maharaja of Mysore.
In reply to this Comm. please refer to
No. 320/P.D.6/2.

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Dated, Bangalore, the 24th August 1920. *191*

FROM

T. Satyaraj Chetty, Esq., B.A.,
~~M. N. KRISHNA RAO, ESQ., B.A.,~~
Offg. Comptroller to the Government of His Highness the Maharaja of Mysore.

To

M. N. KRISHNA RAO, ESQ., B.A.,
Secretary to the Government of Mysore,
Financial *Department.*

SIR,

I have the honour to state that the marginally noted 4% State Loan Bonds of 1906-07 which were in the holding of Bajjanna were endorsed by him in favour of the Deputy Commissioner, Mysore District, when they were tendered as security on account of an Excise contract. The bonds were re-endorsed by the Deputy Commissioner in favour of M.Narasimhiah, the son of the holder, Bajjanna, on 15-8-1919 without quoting the authority under which the former was deemed to be entitled to the bonds. On a reference made by the Officer in charge of the State Huzur Treasury to the Deputy Commissioner of Mysore District to intimate the authority under which the bonds were endorsed in favour of M.Narasimhiah who tendered them at the State Huzur Treasury for issue of conversion Loan notes of 1919-20, the Deputy Commissioner stated in his letter No. 573 of 24th July 1920 that no reference was available in his office to show why the bonds were so endorsed.

No.	Amount.
656	Rs. 1000
657	1000
667 to 672	500 each.

2. A reference was then made in this office letter No.166/P.D. of

6th

WD.0322—GPB—3,000—14-12-16

C. O. 42–Rec.—17]

....'..... ...Department

191

FROM

M. N. KRISHNA RAO, ESQ., B.A.,
Offg. Comptroller to the Govt. of
H. H. the Maharaja of Mysore.

To

.....ESQ.,
Secretary to the Govt. of Mysore,
Dept.

Dated

Despatched

Received

No.....

Subject matter.

6

6th August 1920 to the Government Advocate to express his opinion - as to whether the endorsement made by the Deputy Commissioner without the production of an heirship or succession certificate was correct. In his reply of the 18th instant to this reference, the Government Advocate states that as there is no break in the chain of endorsements, it appears immaterial at present to consider whether the present endorsee holds a succession certificate or not. He further considers that the Deputy Commissioner should satisfy himself before endorsement that he is endorsing the pro-notes in favour of the - right person, but that the title of the endorsee becomes complete - after the endorsement.

3. The view taken by the Government Advocate does not appear to be free from difficulty, as Government is the debtor to the holder of the bond, and as the endorsement in favour of the Deputy Commissioner by the holder, Bájjanna (which ought to have been made in favour of the Dewan) was not one which conveyed title of ownership to the Deputy Commissioner. It is therefore doubtful whether the endorsement in favour of a person other than the holder (Bájjanna) by the Deputy Commissioner without proof of title may be accepted as - correct. Copies of this office letter No.166/PD of the 6th instant and of the Government Advocate's letter No.47 of the 18th instant are submitted for favour of obtaining orders of Government as to whether - the latter's opinion may be accepted and conversion Loan Bonds issued to the applicant in this case.

I have the honour to be.

Sir,

Your most obedient servant,

T. Satyanarayana

COMPTROLLER.

VM.

7.

Copy of letter No.166/PD dated 6th August 1920 from the Comptroller to the Government of His Highness the Maharaja of Mysore to the Government Advocate in Mysore, Bangalore.

=====

In forwarding herewith the upper halves of the marginally noted 4% Security Bonds presented for conversion by M.Narasimhaiya, I have the honor to state as follows:-

No.	Amount.
656	Rs 1000
657	1000
667 to 672 of	500 each.

The holder, Bajjannah, endorsed the bonds in favour of the Deputy Commissioner, Mysore District and subsequently died. The Deputy Commissioner, Mysore District then endorsed it in favour of M. Narasimhaiya on 15th August 1919 without ~~xxx~~ quoting the authority under which the latter was deemed to be entitled to the bonds. Mr. Narasimhaiah is said to be the son of Mr.Bajjiannah.

In these circumstances, I request to be informed whether the endorsement made by the Deputy Commissioner in favour of Mr. Narasimhaiah without the production of an heirship or succession certificate is correct. The entire file of correspondence is herewith sent for reference and kind return.

=======

"Copy"

Superintendent, Record Department,
Comptroller's Office.

25 8 20

VM.

Copy of letter No.47 dated 18th August 1920 from the Government Advocate in Mysore, Bangalore to the Comptroller to the Govt. of His Highness the Maharaja of Mysore, Bangalore.

In returning herewith the file of papers and the upper halves of the marginally noted 4% Government Bonds, received with your letter No.166/P.D., dated the 5th August 1920, I have the honor to state that Mr. Narasimhaiya, the last endorsee, is entitled to hold the pronotes inasmuch as the Deputy Commissioner who was the next preceding endorsee, has duly endorsed the notes in favour of Mr. Narasimhaiya in accordance with the provisions of the Government Securities regulation No.IX of 1894, relating to endorsements of Government securities. There is no break in the chain of endorsements and it appears to me immaterial now to consider whether Mr. Narasimhaiya armed himself with a Succession Certificate or not. The Deputy Commissioner, no doubt, must satisfy himself before endorsement that he is endorsing the pronotes in favour of the person entitled to receive them. But after the endorsement, the title of the endorsee becomes complete and the question as to whether the non production of a succession certificate will disentitle him to get the pro-notes does not appear now to arise.

No.	Amount.
656	Rs. 1000
657	1000
667 to 672.	500 each.

"Copy"

Superintendent, Records Department,
Comptroller's Office.

25/8/20

VM.

DRS.

G. R. S. VI—G/32]

Today

SUBJECT.....

Diary No. of letter replied to.....

Section G 7
File No. 57-20
Serial No. 2

GENERAL AND REVENUE SECRETARIAT
( )
the 191

No. 9E 1967
9/11 Sept 20

Date of issue 11/9/20

Signed by M. Nagaraja Rao

To

The Comptroller

Sir,

With reference to your letter No: 320/P. D. dated 24th Aug 1920 enquiring whether the endorsement made by the Dy Commissioner, Tayson on certain 4% State Loan Bonds of 1906-07 in favour of M. Narasimhiah, son of Bajjanna, without the production of an heirship or succession certificate was correct, I am directed to state that the Govt Advocate's opinion in the matter ~~should be~~ may be accepted.

I have to

10/9/20
For Secy

10/9/1920